

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ATLANTIC CASUALTY
INSURANCE COMPANY

Plaintiff : CIVIL ACTION NO. 3:14-1021

v : (JUDGE MANNION)

EDWARD ZYMBLOSKY t/a BOOTS
AND HANKS TOWING AND
WRECKING a/k/a Boot's and
Hank's Towing and Wrecking
Service, et al.

Defendants

ORDER

In light of the memorandum issued today in the above-captioned matter,

IT IS HEREBY ORDERED THAT:

1. The defendants' Motion to Dismiss, (Doc. [30](#)), is **GRANTED**, **without prejudice**, to re-filing in the Court of Common Pleas of Lackawanna County, should they so desire.
2. The plaintiff's Motion to Dismiss the defendants' counterclaim, (Doc. [33](#)), is **DISMISSED AS MOOT**, also **without prejudice**, to re-filing in the Court of Common Pleas of Lackawanna County, should they so desire.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: February 6, 2015